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Attorneys for Defendant AMAZON.COM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

OIP TECHNOLOGIES, INC.,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

CASE NO. C 12-01233 EMC

**STIPULATION FOR ADDITIONAL TIME
TO ANSWER OR OTHERWISE RESPOND
TO COMPLAINT; RESCHEDULE CASE
MANAGEMENT CONFERENCE AND SET
BRIEFING SCHEDULE ON DEFENDANT
AMAZON.COM, INC.'S MOTION TO
DISMISS PLAINTIFF'S COMPLAINT
ORDER**

Judge Edward M. Chen

1 WHEREAS, Defendant Amazon.com, Inc.'s ("Amazon's") responsive pleading
2 to Plaintiff OIP Technologies, Inc.'s ("OIP's") complaint is due this Friday, May 18;

3 WHEREAS, Amazon would like an additional extension of time to file its
4 responsive pleading up to, and including, Wednesday, May 23, 2012;

5 WHEREAS, for its responsive pleading on May 23, 2012, Amazon intends to file
6 a motion to dismiss;

7 WHEREAS, Amazon and OIP have met and conferred about a briefing schedule
8 for Amazon's Motion to Dismiss;

9 WHEREAS, both parties have a conflict on the date currently set by the Court for
10 the Case Management Conference presently scheduled for July 6, 2012;

11 WHEREAS, Amazon and OIP would like the hearing on Amazon's Motion to
12 Dismiss to be heard on the same date as the Case Management Conference;

13 WHEREAS, counsel for OIP are currently scheduled to be in trial in the Northern
14 District of Illinois throughout the month of July, but would like the Case Management
15 Conference to take place in early July if at all possible;

16 WHEREAS, Amazon would like additional time to file its Motion to Dismiss and
17 OIP would like additional time to respond to Amazon's Motion to Dismiss;

18 WHEREAS, due to a scheduling conflict, OIP would like the Federal Rule of Civ.
19 Proc. Rule 26(f) conference to take place at a mutually agreeable date and time before June 11,
20 2012;

21 WHEREAS, as explained in the accompanying declaration submitted pursuant to
22 Civil Local Rule 6-2(a), the requested modification will have minimal impact on this litigation;

23 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
24 counsel and pursuant to Civil Local Rule 6-1(a), that the time for Amazon to answer, move or
25 otherwise respond to Plaintiff's Complaint is extended to and including May 23, 2012.

26 IT IS FURTHER HEREBY STIPULATED AND AGREED, by and between the
27 undersigned counsel and pursuant to Civil Local Rule 6-2(a), that the time for OIP to respond to
28

Amazon's planned Motion to Dismiss is extended to and including June 14, 2012, and that the time for Amazon to file its reply brief is extended to and including June 22, 2012.

IT IS FURTHER HEREBY STIPULATED AND AGREED, by and between the undersigned counsel that the Fed. R. Civ. Proc. Rule 26(f) conference shall be held on a mutually agreeable date and time before June 11, 2012. Notwithstanding the timing of the Rule 26(f) conference, the parties agree that discovery may be served no earlier than June 22, 2012.

IT IS FURTHER HEREBY STIPULATED AND AGREED, by and between the undersigned counsel and pursuant to Civil Local Rule 6-2(a), that the date for the Case Management Conference is changed to July 13, 2012.¹ OIP's agreement to move the Case Management Conference to July 13, 2012, and to schedule Amazon's Motion to Dismiss hearing for that same day, is based on Amazon's express acknowledgement and agreement that the Case Management Conference and Motion to Dismiss hearing shall come off calendar and be rescheduled for August 7, 2012, if OIP counsel is still in trial on July 13, and subject to the Court's availability.

Dated: May 16, 2012

Respectfully submitted,

LATHAM & WATKINS LLP

By: /s/ Richard G. Frenkel

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¹ The parties request that the Court combine the Motion to Dismiss hearing with the Case Management Conference, but will separately attend the hearing and CMC if this is inconvenient for the Court.

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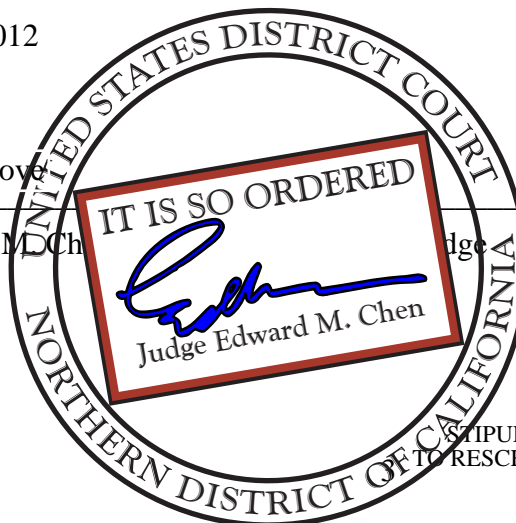
19 Attorneys for Plaintiff
20 OIP Technologies, Inc.

21 PURSUANT TO STIPULATION OF COUNSEL, IT IS SO ORDERED

22 Dated: May 24, 2012

23 as modified above

24
25
26 Honorable Edward M. Chen



ATTESTATION CLAUSE

I, Richard G. Frenkel, am the ECF User whose identification and password are being used to file this Stipulation Extending Time for Amazon.com, Inc. to Respond to Plaintiff's Complaint pursuant to Civil Local Rule 6-1(a). I hereby attest that Monica Eno has concurred in this filing.

Dated: May 16, 2012

Respectfully submitted,

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